

060908 Minutes for Spring Brook Watershed Lake Management District

The meeting was Monday, June 9, 2008 7:00 PM at the Mukwonago Town Hall W.320 S. 8315 Beulah Rd., Mukwonago, Wi.

Chairman Doug Kincaid called the meeting to order as posted at 7:00 PM. The group said the Pledge of Allegiance. There were no comments or questions during Open Forum.

Correspondence Included:

- Nov. 6/07 Town of Mukwonago verification that they are cutting the dam which the insurance co. asked for to assist with our quote information.
- Apr. 7/08 Policy Expiration (07/01/08) District Insurance notice mailed to Jan S. and emailed to Karen June 9th from Rob Krohlow.
- May 6/08 DNR, Michelle Schneider, Dam & Water Management Engineer notification our Emergency Action was approved and that we are required by law to up-date it annually.
- June 6/08 Summary of Insurance prepared by Rob Krohlow and emailed.
- May 20/08 email from Patrick Goggin, UWSP explaining exemption from budget caps.
- May 27/08 Letter prepared by Karen to Rob Krohlow (Insurance) forwarding the approved Emergency Action Plan and requesting recommended Insurance coverage information as well as quotes.

Board Members Present: Chairman Doug Kincaid, Greg McLain, Secretary/County Representative Karen McNelly and Town Representative Peter Topczewski. Absent: Treasurer Mike Samarzja

District Members Present: Bethany McLain, Frank Gaszak, Jim McNelly at 8 PM.

Items for Discussion and Action by the Board of Commissioners:

Commissioner Appointment: Doug K. made a motion, seconded by Karen M. to appoint Greg McLain to serve until the August 2008 Annual Meeting. The motion carried unanimously.

Secretaries Report: Peter T. made a motion, seconded by Greg McLain to approve the April 21, 2008 minutes as sent out and reviewed. The motion carried unanimously.

The District received a letter of approval from the DNR for the Emergency Action Plan. Our approved plan has been forwarded to Horton Insurance, Waukesha County and Emergency Services. Karen commented that our EAP was used this past week to assist the Saylesville Dam owners and DNR with Saylesville's dam

emergency overflow situation. Specifically the map and notification chart that we prepared all the way to the Fox River and all emergency and utility services. By law our report needs to be reviewed and up-dated once a year or if there are changes in the notification chart; and we should all become aware of how to respond in an emergency situation.

Treasurer's Report: Mike Samarzja was absent and the Board will discuss the report at their next meeting June 23, 2008 as no new expenditures were turned in at the time.

Watershed Levels, Maintenance and lake Information Report: Karen had checked the dam on Sunday due to extremely high water levels throughout the region and Jim McNelly's request as he was working over in Saylesville with their emergency situation. Our water levels are the highest they have ever been and the vertical corrugated tin is only 12 to 18 inches above water. There was no water over the emergency flow. Karen did note that it appears most of the topsoil and grass have eroded off of the dam and this is significant as the dam needs that soil and a thick ground cover to protect the top of the dam from erosion. The sides looked pretty good, but we need to keep a careful watch as things can change quickly.

Doug reported that once again the Cairn boys had seen 2 beaver near their property. Jim M. arrived and indicated he had seen a number of muskrats so far this year other than in Spring Lake where had observed beaver activity.

Jim also noted that the water levels in this region are at all time historic levels and we need to carefully watch shorelines, the dam and warn people about potentially hazardous situations and to stay away from the weir as that area can be dangerous.

Maintenance and dam shoreline: With high water levels we will need to keep this item on the Agenda and discuss again.

Lake Management District's Liability Risks & Protection Insurance According to Wisconsin State Statutes and Laws: Peter T. is an Insurance Attorney and he explained that the State of Wisconsin requires and recommends Lake Districts and Board of Commissioner's Insurance to protect the District as well as it's members and Board of Commissioners for claims that can occur in the following categories:

- **General Liability, Errors and Omissions and Federal Civil Rights-** At a minimum, liability coverage should be written so that all board members, officials and employees are insured with E & O coverage.
- **Worker's Compensation insurance is required by Wisconsin State Law** for all Lake Management Districts. The Statutes define a lake district as an employer and the district's elected officials as employees
- **Contracted services are encouraged to reduce a Lake Districts over-all liability.** When contracting for services a lake district should always obtain written proof of worker's compensation insurance, and verify proof of the contractors liability insurance.

Peter T. also encouraged the District to shop around and take bids and quotes annually as this should provide the best and most cost effective insurance coverage for the District.

After discussion the Board asked Karen to contact Rob Krohlow of The Horton Insurance Group to obtain a quote and to attempt on short notice (our insurance expires July 1, 2008) to receive additional quotes from other firms if necessary. This item may be added to our Annual Meeting Agenda to review new quotes.

Review bids for brush cutting and clearing of dam: Peter T. explained that it is good to review more than one bid for all contracted services. Bids/quotes should be reviewed all at once so as not to openly disclose financial quotes and to encourage fair and competitive bidding practices. This practice will ensure the Districts business integrity.

The group did receive one quote for brush cutting from Greg Goode who has done work for the District previously. Greg McLain knew of someone else he thought might be interested in performing the work.

The decision was not acted upon at this time, but will be discussed at a later date as this work can not be done until Fall or Spring when the dam is dried out, lake water levels are lower and the chemical agents used after the brush cutting is completed will be better absorbed into the stumps.

Annual Meeting Preparation SS 33.30: The Annual Meeting is Saturday, August 30th 9:00 AM at Doug and Sue's with refreshments following.

Doug asked Karen to have Mike S. bring last years budget and recommendations for next years (January 1, 2009 to December 31, 2009) budget to the June 23 meeting.

Over the next month and half the District Board will then prepare a new budget (2009), review the audited books (January 1, 2007 through July 1, 2008), and prepare the Annual Meeting Agenda which has to be sent out by the end of the second week in August to everyone in the District.

Confirm dates for future Board of Commissioner Meetings: June 23, 2008 at 7:00 PM in the Town Hall Conference Room. Agenda Items will include reviewing and approving District Insurance, Annual Meeting 2009 Proposed Budget and Agenda preparations.

Adjournment: Peter T. made a motion, seconded by Doug K. to adjourn at 8:19 PM. The motion carried unanimously.

Karen J. McNelly,
Secretary SBWLMD

